

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re: Enrique Montano ) 18 B 08834  
 )  
 )  
Debtor(s) ) Judge Baer

***NOTICE OF MOTION AND CERTIFICATE OF SERVICE***

Enrique Montano  
640A Rance Rd.  
Oswego, IL 60543

Pro-se

Please take notice that on May 4, 2018 at 9:15 AM a representative of this office shall appear at the Kane County Courthouse, 100 S. 3<sup>rd</sup> St., Geneva, IL and present this motion.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you don't have an attorney, you may wish to consult one)**

I certify that this office caused a copy of this notice to be delivered to the above listed attorney through the CM/ECF system and the debtor(s) by depositing it in the U.S. Mail on April 20, 2018.

/s/  
For Glenn Stearns, Trustee

**MOTION TO DISMISS WITH A BAR FOR 180 DAYS**

Now Comes Glenn Stearns, Chapter 13 Trustee, requesting dismissal with a bar for 180 days of the above case pursuant to 11 U.S.C. §§ 1307(c), 109(g), and 349(a) and in support thereof, states the following:

1. On March 27, 2018, the debtor(s) filed a petition under Chapter 13.
2. This is the debtor's fourth bankruptcy case filed within the past three years:

Case Number		Type & Result
15 B 24450	7/17/15	Chapter 13. Dismissed 4/29/16 for material default.
16 B 39194	12/13/16	Chapter 13. Dismissed 2/17/17 for unreasonable delay and failure to make plan payments.
17 B 29620	10/3/17	Chapter 13. Dismissed 2/2/18 for unreasonable delay and failure to make plan payments.
18 B 08834	3/27/18	Chapter 13. Present case.

3. The debtor has failed to file a certificate of creditor counseling.
4. The debtor, by filing multiple bankruptcy cases without complying with the Bankruptcy Code requirements, demonstrates that the debtor is engaged in a

pattern to abuse the Bankruptcy system and is acting in bad faith solely to frustrate her creditors.

5. Dismissal with prejudice is proper in bad faith, serial filing cases. In re Standfield, 152 B.R. 528 (Bankr. N.D. Ill 1993), In re Herrera, 194 B.R. 178 (Bankr. N.D. Ill 1996), In re McNichols, 254 B.R. 422 (Bankr. N.D. IL 2000).

WHEREFORE, the Trustee prays that this case be dismissed for cause with a bar for 180 days pursuant to §§1307(c) and 349(a), or for such other and further relief as this court deems proper.

Respectfully Submitted;  
Glenn Stearns, Trustee

\_\_\_\_\_/s/  
By: Gerald Mylander

Glenn Stearns, Chapter 13 Trustee  
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